

# EXHIBIT 1



**Russell Busch**  
Attorney  
409 E 50<sup>th</sup> Street  
New York, NY 10022  
Telephone: (630) 796-0903  
Email: rbusch@milberg.com

March 30, 2023

**Via FedEx**

HP Inc. d/b/a HP Computing and Printing Inc.  
c/o CT Corporation System  
28 Liberty Street  
New York, NY 10005

**Re: Notice Concerning Violation of California and Illinois Consumer Protection Laws, and other applicable laws.**

To Whom it May Concern:

**PLEASE TAKE NOTICE** that this Letter constitutes notice for HP Inc.'s ("HP") breach of express warranty regarding its HP Omen Laptop product line. This Letter also serves to notify HP that its business practices violate the California Consumer Legal Remedies Act, Cal. Civ. Code § 1750 *et seq.* (the "CLRA") and the Illinois Consumer Fraud and Deceptive Trade Practices Act (the "ICFA"), constitute a breach of express and implied warranties, and that HP has been unjustly enriched by the unlawful conduct at issue. Accordingly, I write on behalf of our clients Justin Davis and Gary Davis (our "Clients"), representing themselves and all individuals comprising the proposed Classes defined in the attached Complaint, to demand that you remedy such violations within thirty (30) calendar days from your receipt of this letter.

As detailed comprehensively in the attached draft Complaint, our Clients' claims arise from HP's unlawful practice of designing, manufacturing, advertising, selling, and distributing defective HP Omen Laptops while representing that the Omen Laptops are high-performance gaming laptops fit for their intended purpose and free from defects including the Defect (described in the attached Complaint).

Our clients' experience with their HP Omen Laptops is indicative of a consistent, widespread policy or practice employed by HP and a material Defect manifest in the Products throughout the relevant period. Mr. Justin Davis purchased his HP Omen Laptop in April of 2022. Mr. Gary Davis purchased his HP Omen Laptop in January of 2022. As detailed in the attached Complaint, both of our Clients discovered their HP Omen Laptops had defective trackpads within the first few instances of attempting to use the laptops. The Omen Laptops' defective trackpads can cause the onscreen cursor to: (a) track in reverse, *e.g.* the cursor moves in a direction opposite to the user's input; (b) freeze or fail to register user input; or (c) engage in erratic behavior such as randomly opening and closing windows and programs. This defect renders the Products unfit for their ordinary purpose—that is, to be a functional, portable, laptop PC free from defects. Had our Clients known the truth about the defective Omen Laptops, and that the Products were defective and therefore worth significantly less than they paid, they would not have purchased the Products or would have been willing to pay substantially less for them.

As a result of HP's negligence and unlawful actions, our Clients and the proposed Classes they represent have incurred damages, including economic damages, including but not limited to the difference between the advertised value of the Products and the diminished value due to the material defect described in

Affiliates/Locations | California | Georgia | Kentucky | Mississippi | New York | North Carolina |  
Puerto Rico | South Carolina | Tennessee | Washington |  
Netherlands | Portugal | United Kingdom

**[www.milberg.com](http://www.milberg.com)**



detail in the attached Complaint. Our Clients hereby demand that within 30 days of receipt of this notice HP agree to (1) cease all false and misleading statements and advertising of the Products and (2) offer our Clients and the proposed Class a refund in an amount equal to the purchase price and the actual value of the defective Products (the difference between what they received and what they were promised) in addition to any premium they paid over the prevailing market value of the Products.

Our Clients also demand that HP put in place new quality control procedures and institute new marketing and advertising procedures conforming to the requirements of the laws of the State of California and the State of Illinois as well as federal regulations, and disgorgement of wrongfully acquired benefits by HP. We further demand that the corrective notices be sent and placed in suitable media to alert customers to the company's misconduct and provide past and current customers with information concerning the fact pattern triggering entitlement to the remedial measures herein demanded. Finally, our Clients also demand that HP preserve all documents and other evidence which refer or relate to any of the above-described practices.

We are willing to negotiate to attempt to resolve the demands in this letter. If you wish enter into such discussions, please contact me immediately. I can be reached at (630) 796-0903 or [rbusch@milberg.com](mailto:rbusch@milberg.com). If you contend that any statement in this letter is inaccurate in any respect, then please provide us with your contentions and supporting documents promptly. Should you fail to make a good faith response within 30 days of receipt of this letter, our Clients plan to pursue all legal remedies available to them.

We look forward to your response.

Regards,

Russell Busch, Esq.

Milberg Coleman Bryson Phillips Grossman

Enclosure